

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA	:	CIVIL ACTION NO. 10-1772
	:	
v.	:	
	:	
MARCEL HARPER	:	CRIMINAL ACTION NO. 05-170-02

**ORDER**

**AND NOW**, this 24th day of June, 2010, upon consideration of Marcel Harper's *pro se* Motion to Alter or Amend Judgment (Crim. Docket No. 419) and all documents filed in connection therewith, **IT IS HEREBY ORDERED** that the Motion is **DENIED**. As Harper has failed to make a substantial showing of the denial of a constitutional right, there is no basis for the issuance of a certificate of appealability.

BY THE COURT:

/s/ John R. Padova

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John R. Padova, J.